

REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated March 18, 2009. Claims 1-23, as presented in the Amendment filed on December 28, 2008, are not amended and remain in the application. Thus, claims 1-23 are pending in the application. Claims 1, 10 and 17 are independent.

Reexamination and reconsideration of the application are requested in view of the following remarks.

I. Objection to Specification

The specification is objected to as allegedly not providing proper antecedent basis for the claimed subject matter. This objection is respectfully traversed for at least the following reasons.

In numbered paragraph 5 on page 2 of the Office Action, the Office quoted claim 1 as reciting "...mail sent from said server by **altering the representation** of the folder tree structure...with the **altered representation** of the folder tree structure" (emphasis in original).

The Office did not identify which features recited in claim 1 are not believed to have proper antecedent basis in the specification. However, by emphasizing certain features in the above-quoted passage of claim 1, it appears that the Office believes that the specification does not provide proper antecedent basis for the features of (1) altering, at the client, the representation of the folder tree structure that is transmitted from the server in response to the inquiry mail sent from the client, and (2) the client sending to the server a reply email with the altered representation of the folder tree structure and an attached file.

It is well-settled that the subject matter of a claimed invention need not be described literally in the specification, i.e., using the exact same terms or *in haec verba*. See MPEP 2163.02. Rather, the disclosure as a whole, including the specification, claims and drawings, constitutes the written description of an application from which Applicant may provide support and antecedent basis for the claimed invention. See MPEP 2163.02 (citations omitted).

The Office must have a reasonable basis to challenge the adequacy of the written description. The Office bears the burden of presenting, by a preponderance

of evidence, why a person skilled in the art would not recognize in Applicant's disclosure a description of the invention defined by the claims. See MPEP 2163.04. In contradistinction to this standard, the Office did not articulate any reason as to why the specification and drawings are not believed to provide antecedent basis for features (1) and (2).

Applicant respectfully submits that the specification and drawings, unquestionably, provide proper antecedent basis for all the recited features of the claimed invention, and that Applicant had possession of the claimed invention, at the time the application was filed.

Figure 5 of the present application illustrates a functional diagram of file upload processing between a client (e.g., user PC 100a illustrated in Figure 1) and a server (e.g., server 200 illustrated in Figure 1), to upload a particular file to a predetermined folder at the server. As described in paragraph [0054] on page 6 of the specification, in step S103 in Figure 5, the client sends a mail to the server requesting a folder tree structure of a directory at the server. In response to receiving the inquiry mail from the client, the server, as described in paragraph [0055] on page 6, searches for a folder within the server that can be accessed by the requesting client, and "creates data representative of the tree structure for that folder" (see step S107 in Figure 5). As described in paragraph [0056] spanning pages 6 and 7 and as illustrated as step S109 in Figure 5, the server then sends a mail to the client that includes a representation of the folder tree structure.

Figure 6 illustrates an example of a folder tree structure that is at the server. In the example of Figure 6, the root folder contains two subordinate folders: folders A and B. Folder A contains a subordinate folder of folder AA. Figure 8 illustrates an example of a representation of a folder tree structure that is sent to the client by mail from the server. The client receives the mail sent from the server that includes the representation of the tree structure at the server.

The client includes a third transmission portion that designates a storage folder within the folder tree structure contained in the mail sent from the server by altering the representation of the folder tree structure contained in the mail sent from the server, and sending a reply email to the server that contains the altered

representation of the folder tree structure and a file to be attached in the designated storage folder.

Figures 9-13 illustrate examples of how the storage location in a folder tree structure is designated by alerting the representation of the folder tree structure sent from the server to the client. For example, in Figure 9, the client inserts a line below "Folder AA" in the representation of the folder tree structure sent from the server to designate folder AA as the storage folder for "File X," which is sent with the reply email from the client to the server. In the example of Figure 10, the client designates that "File X" is to be stored in "Folder AA" and "Folder B" by inserting a line below each of these folders. In the example of Figure 11, File X and File Y are both stored in "Folder AA" based on the alteration of the representation of the folder tree structure. In the example of Figure 12, Files Y, Z and X are stored in respective folders. For example, by altering the representation of the folder tree structure sent from the server, the client in the example of Figure 12 has inserted two lines below "Folder AA" and one line below "Folder B." Based on the order in which attached files are identified in the reply email, the server determines that files Y and Z are to be stored in "Folder AA" and file X is to be stored in "Folder B." Figure 13 illustrates an example in which a plurality of attached files are designated to be stored in one or more storage files within the folder tree structure based on the insertion of a numerical character below the respective storage folder(s), where the numerical characters respectively correspond to an order in which the attached files are identified in the reply email from the client to the server. For example, in Figure 13, the server determines that File Z, which is the third identified attached file, is to be stored in the "Root Folder" and in "Folder AA," based on the client's alteration of the representation of the folder tree structure in the reply mail sent from the client to the server.

Each of the above-described examples in the specification unequivocally provide clear and proper antecedent basis for the recitation in claim 1 that the third transmission portion, at the client, designates a storage folder within the folder tree structure contained in the mail sent from the server in the form of a reply to the mail sent from the server by altering the representation of the folder tree structure

contained in the mail sent from the server, and sending a reply mail with the altered representation of the folder tree structure and an attached file to the server.

Accordingly, having demonstrated that each feature recited in claim 1 has clear antecedent basis in the specification, Applicant respectfully requests that the improper objection to the specification be withdrawn.

II. Rejections Under 35 U.S.C. § 103(a)

A. Claims 1, 2, 4-15, 17, and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dillingham et al. (U.S. 6,327,608, hereinafter "Dillingham") in view of Berchtold et al. (U.S. 6,678,705, hereinafter "Berchtold"), and further in view of Miyamura et al. (U.S. 2002/0191222, hereinafter "Miyamura").

This rejection is respectfully traversed. The applied references do not disclose or suggest all the recited features of the claimed invention, for at least the following reasons.

Claim 1 recites that the third transmission portion, at the client, designates a storage folder within the folder tree structure contained in the mail sent from the server in the form of a reply to the mail sent from the server by altering the representation of the folder tree structure contained in the mail sent from the server, and sending a reply mail with the altered representation of the folder tree structure and an attached file to the server.

In addition, claim 1 recites that the storage portion, at the server, stores the attached file in the storage folder as designated in the reply mail, in response to the reply mail sent by the client.

As acknowledged by the Office, Dillingham and Berchtold, either individually or in combination, do not disclose or suggest the above-described features of claim 1.

In contrast, Dillingham discloses a server administration technique in which a client can browse and administer file directories resident on a server. Dillingham discloses that a user interface (UI) is installed on the client device in response to an HTTP request from the client, and the user interfaces allows the client to access a cached version of the file directories (see Abstract, Column 2, line 51 to Column 3, line 2, and Column 7, lines 10-32).

Berchtold discloses an architecture for document archival in which a client sends an email to a server to store a file based on the email address used by the client. For instance, if the archiving server is given a name of "Save Me" and an Internet address of "saveme.com," the client can instruct the archiving server to store a file in a folder "ABC" of the archiving server by sending an attachment to the email address "abc@saveme.com" (see Column 3, lines 9-24).

However, as acknowledged by the Office, neither Dillingham nor Berchtold disclose or suggest the recited features of a client (1) designating a storage folder within a folder tree structure contained in a mail sent from a server that includes a representation of a folder tree structure, by altering the representation of the folder tree structure contained in the mail sent from the server, and (2) sending a reply mail with the altered representation of the folder tree structure and an attached file to the server.

In striving to arrive at features (1) and (2) of claim 1, the Office asserted that Miyamura discloses features (1) and (2). This assertion is not supportable and is contrary to the disclosure of Miyamura.

Miyamura discloses a Web filing system in which files may be stored at a Web server by using a Web browser at a client device (file generation apparatus). In such a Web filing system, the client device will receive an electronic mail describing a URL of the Web filing system, as well as the file name of the file and the storage location of the file, after the file has been stored in the Web server (see paragraph [0003]).

Paragraphs [0004]-[0010] of Miyamura disclose how the client can alter the storage location of a file to be stored, so that a destination folder desired by the client can be used to store the file that is requested to be saved. However, it is important to note that the descriptions in paragraphs [0004]-[0010] occur prior to any mail being sent from the Web server to the client, because the Web server does not send a mail to the client until after a file has been stored in the Web server. This is made clear because Miyamura repeatedly refers to information, such as a destination folder, that is "to be written in the electronic mail," which means that the electronic mail confirming storage of the requested file has not been sent to the client from the Web server.

The Office appears to have disregarded this foundational point in striving to arrive at the subject matter of claim 1, because the portions of Miyamura referenced by the Office have no similarity or relationship to features (1) and (2) of claim 1.

In particular, in paragraph [0004], Miyamura discloses that the client device generates a file name for the file to be saved, and may specify a temporary folder in which to store the client-named file. Upon receiving the client-named file for which there is a registration (storage) request, the Web server sends the client a URL notation as shown in Figure 6, in which the storage folder name and file name for the file are specified. If the client clicks on the URL link, the client is taken to a screen displayed on the Web server's site (see paragraph [0006]). Figures 7-9 are illustrations of such a screen displayed on the Web server's site. As shown in Figure 8, the screen displayed on the Web server's site lists the names of files stored in a particular folder. If the client desires to change the storage destination of a file, the Web server displays an operation screen as shown in Figure 9 of Miyamura (see paragraph [0008]). Using the operation screen displayed on the Web server's page, the user can then change the storage folder of a file. For instance, the client can select that the file having the name "id00903739" be stored in folder "Folder 1" instead of folder "MarsLAN-test" (see Figure 9, and paragraphs [0009]-[0010]).

Accordingly, Miyamura discloses that a client changes the storage location of a file to be stored in a Web server by using operation screens displayed on the Web server's website.

However, in contrast to claim 1, Miyamura does not disclose or suggest that the client designates a particular storage folder within a folder tree structure contained in a mail sent from the Web server that includes a representation of a folder tree structure, by altering the representation of the folder tree structure contained in the mail sent from the server, and (2) sending a reply mail with the altered representation of the folder tree structure and an attached file to the server.

On the contrary, Miyamura discloses that a client must select a storage folder on an access page displayed on the Web server's website. Miyamura does not disclose or suggest that the Web server sends a mail including a folder tree structure to the client, and the client in turn alters the representation of the folder tree structure contained in the mail sent from the Web server. Furthermore, Miyamura does not

disclose or suggest that the client sends a reply mail with the altered representation of the folder tree structure and an attached file to the Web server. On the contrary, again, Miyamura discloses that the client must use a Web-based access screen displayed on the Web server's site in order to alter the storage location of a file.

Therefore, there is no support, either explicit or implicit, to justify the Office's attempt to interpret Miyamura in such a manner so as to arrive at features (1) and (2) of claim 1. On the contrary, the web-based server system of Miyamura operates similarly to Dillingham, and has no relationship whatsoever to features (1) and (2) of claim 1.

Accordingly, Applicant respectfully submits that Miyamura does not cure the deficiencies of Dillingham and Berchtold for failing to disclose or suggest features (1) and (2).

Furthermore, since Dillingham, Berchtold and Miyamura do not disclose or suggest features (1) and (2), these references also cannot disclose or suggest the storage portion as recited in claim 1, which stores the attached file in the storage folder as designated in the reply mail.

Therefore, Applicant respectfully submits that Dillingham, Berchtold and Miyamura, either individually or in combination, do not disclose or suggest the third transmission portion and storage portion as recited in claim 1. Consequently, no obvious combination of Dillingham, Berchtold and Miyamura would arrive at the subject matter of claim 1, since these references, either individually or in combination, fail to disclose or suggest all the recited features of claim 1.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claim 1 is patentable over Dillingham, Berchtold and Miyamura.

Claim 17 recites a data management server that comprises a transmission portion sending a representation of a folder tree structure to a client by mail in response to an inquiry mail sent from the client. In addition, claim 17 recites that the server comprises a storage portion storing an attached file into a designated storage folder when a reply mail is received from the client with an attached file by determining the designated storage folder in the folder tree structure based on an alteration of the representation of the folder tree structure contained in the mail sent by the transmission portion that is sent in the reply mail from the client.

Claim 10 recites a computer-readable recording medium having a data management product recorded thereon that causes a computer to execute operations corresponding to the constituent elements of the data management server as recited in claim 17.

As demonstrated above, Dillingham, Berchtold and Miyamura, either individually or in combination, do not disclose or suggest designating a storage folder by altering a folder tree structure contained in a mail sent from a server device, and sending a reply mail to a server containing the altered folder tree structure. Therefore, for reasons similar to those presented above with respect to claim 1, Applicant respectfully submit that Dillingham, Berchtold and Miyamura also fail to disclose or suggest the second step as recited in claim 10, and the storage portion as recited in claim 17.

Therefore, Dillingham, Berchtold and Miyamura do not disclose or suggest all the recited features of independent claims 1, 10 and 17. Consequently, Applicant respectfully submits that claims 1, 10 and 17 are patentable over Dillingham, Berchtold and Miyamura, since these references, either individually or in combination, fail to disclose or suggest each and every recited feature of claims 1, 10 and 17.

Furthermore, in view of the distinctions discussed above, Applicant respectfully submits that one skilled in the art would not have reason or been motivated to modify Dillingham, Berchtold and Miyamura in such a manner as to arrive at, or otherwise render obvious, the inventions of claims 1, 10 and 17.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claims 1, 10 and 17, as well as claims 2-9, 11-16 and 18-23 which depend therefrom, are patentable over Dillingham, Berchtold and Miyamura.

B. Dependent claims 3, 16, and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dillingham in view of Berchtold and Miyamura and further in view of Mutton et al. (U.S. 2002/0147840 A1, hereinafter "Mutton").

Similar to Dillingham, Berchtold and Miyamura, Mutton fails to disclose or suggest the third transmission portion and storage portion as recited in claim 1, as well as the second step of claim 10 and the storage portion of claim 17.

Consequently, Mutton cannot cure the deficiencies of Dillingham and Berchtold for failing to disclose or suggest all the recited features of claims 1, 10 and 17.

Therefore, Applicant respectfully submits that claims 1, 10 and 17, as well as claims 2-9, 11-16 and 18-23 which depend therefrom, are patentable over Dillingham, Berchtold, Miyamura and Mutton.

Dependent claims 2-9, 11-16 and 18-23 recite further distinguishing features over the applied references. The foregoing explanation of the patentability of independent claims 1, 10 and 17 is sufficiently clear such that it is believed to be unnecessary to separately demonstrate the additional patentable features of the dependent claims at this time. However, Applicant reserves the right to do should it become appropriate.

III. Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this Response, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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